

Expéditeur : le BUREAU INTERNATIONAL

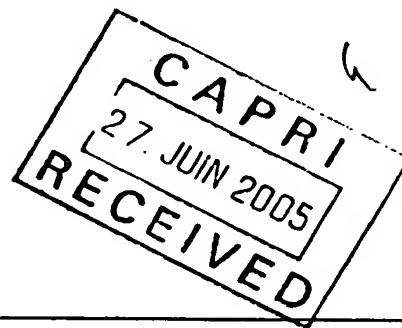
PCT

NOTIFICATION DE TRANSMISSION DE COPIES
DE LA TRADUCTION DU RAPPORT D'EXAMEN
PRÉLIMINAIRE INTERNATIONAL
SUR LA BREVETABILITE (CHAPITRE I OU CHAPITRE II
DU TRAITE DE COOPERATION EN MATIERE DE BREVETS)

(règle 72.2 du PCT)

Destinataire :

CAPRI
33, rue de Naples
F-75008 Paris
FRANCE



Date d'expédition (jour/mois/année) 16 juin 2005 (16.06.2005)	
Référence du dossier du déposant ou du mandataire ARLS 5 B PCT	NOTIFICATION IMPORTANTE
Demande internationale n° PCT/FR2003/002923	Date du dépôt international (jour/mois/année) 06 octobre 2003 (06.10.2003)
Déposant AIRLESSYSTEMS etc	

1. Transmission de la traduction au déposant.

Le Bureau international transmet ci-joint copie de la traduction en langue anglaise qu'il a faite du rapport d'examen préliminaire international établi par l'administration chargée de l'examen préliminaire international.

2. Transmission d'une copie de la traduction aux offices élus.

Le Bureau international notifie au déposant qu'une copie de cette traduction a été transmise aux offices élus suivants qui exigent la traduction en question:

AZ, CH, CN, CO, GH, KG, KP, KR, MK, MZ, RO, RU, TM

Les offices élus suivants ayant renoncé à l'exigence selon laquelle la transmission doit être effectuée à cette date recevront une copie de cette traduction du Bureau international seulement à leur demande:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BY, BZ, CA, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EP, ES, FI, GB, GD, GE, GM, HR, HU, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Rappel concernant la traduction dans la ou l'une des langues officielles de l'office ou des offices élus.

Il est rappelé au déposant que, lorsqu'une traduction de la demande internationale doit être remise à un office élu, cette traduction doit comporter la traduction de toute annexe du rapport d'examen préliminaire international.

Il appartient au déposant d'établir la traduction en question et de la remettre directement à chaque office élu intéressé (règle 74.1). Voir le volume II du Guide du déposant du PCT pour de plus amples renseignements.

Bureau international de l'OMPI 34, chemin des Colombettes 1211 Genève 20, Suisse	Fonctionnaire autorisé Beate Giffo-Schmitt
n° de télécopieur+41 22 740 14 35	n° de télécopieur+41 22 338 87 20



Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference ARLS 5 B PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/002923	International filing date (day/month/year) 06 octobre 2003 (06.10.2003)	Priority date (day/month/year) 09 octobre 2002 (09.10.2002)
International Patent Classification (IPC) or national classification and IPC B05B 11/00		
Applicant AIRLESSYSTEMS		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 04 mai 2004 (04.05.2004)	Date of completion of this report 06 December 2004 (06.12.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/002923

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 1, 3-10, as originally filed
 pages _____, filed with the demand
 pages 2, 2a, filed with the letter of 18 November 2004 (18.11.2004)
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-12, filed with the letter of 18 November 2004 (18.11.2004)
- ☒ the drawings:
 pages 1/3-3/3, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR 03/02923

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following document:

D1: US 2002/117516 A1 (LASSERRE PIERRE-ANDRE ET AL), 29 August 2002 (2002-08-29)

Document D1 is considered to constitute the prior art closest to the subject matter of claim 1 and discloses (the references in parentheses are to that document):

A fluid product dispenser comprising:

- two distinct dispenser units having each a fluid product reservoir which defines an opening, a dispensing member to collect and distribute the fluid product contained in the reservoir and a fastening member to fasten the dispensing member to the opening in the reservoir, and
- a common outer shell in which at least the two reservoirs are housed, the shell comprising receiving means to receive and retain the two dispenser units inside the shell.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/FR 03/02923

Consequently, the subject matter of claim 1 differs from the known dispenser in that:

the retaining means form a peripheral radial flange which extends outwards and is designed to snap into a respective housing.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of providing a dispenser having a high degree of modularity.

The solution to this problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)) for the following reasons:

The combination of features in claim 1 is neither known from nor suggested by the available prior art.

The flange permits the use of reservoirs having different capacities or different shapes, thus ensuring a high modularity of use of the dispenser.

Claims 2-12 are dependent on claim 1 and thus also meet the PCT novelty and inventive step requirements.